

MaryLou Whiteford  
DPR West Duwamish Land Trade ORD  
July 28, 2014  
Version #1

CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL 118206

AN ORDINANCE relating to the Department of Parks and Recreation, concerning the West Duwamish Greenbelt, finding that an exchange of property between the City of Seattle and West Seattle Acquisition Co., L.L.C., owner of property adjacent to park property, is necessary, as required by Ordinance 118477, also known as Initiative 42; authorizing the Superintendent of Parks and Recreation to accept a deed from West Seattle Acquisition Co., L.L.C., for certain property meeting the criteria of Initiative 42; and authorizing the Superintendent to execute and record a Quit Claim Deed for certain City-owned West Duwamish Greenbelt property to West Seattle Acquisition Co., L.L.C., all to eliminate an existing private, non-park use of park property.

WHEREAS, Ordinance 88399, approved in 1959, authorized the acquisition of certain King County tax title properties for general municipal purposes to establish certain "greenbelt" areas contemplated by the Comprehensive Plan; and

WHEREAS, certain properties in Block 2 of Goodspeed's Addition to West Seattle, located between 14<sup>th</sup> and 15<sup>th</sup> Avenues SW and between SW Alaska and SW Edmunds Streets, acquired under Ordinance 88399, were held under jurisdiction of various named predecessor agencies to the current Finance and Administrative Services Department, including the Building Department, the Department of Administrative Services, and the Executive Services Department; and

WHEREAS, those properties were later transferred to the jurisdiction of the Department of Parks and Recreation for open space, park and recreation purposes, under Ordinance 119826 (2000); and

WHEREAS, while under the jurisdiction of the Building Department in 1980, that department issued a permit allowing use of a portion of Lots 16 through 22 and Lots 31 through 33, Block 2, Goodspeed's Addition to West Seattle, for driveway access to adjacent private property at 4707 - 14<sup>th</sup> Avenue SW; and

WHEREAS, that private property is now being redeveloped and the owner seeks to obtain ownership of the land on which the existing access road is located and adjacent parcels ("Park Property"); and

WHEREAS, unopened street rights-of-way that might accommodate alternative access to the private property are mapped as Environmentally Critical Areas and have been



determined to be unsuitable for improvement due to steep slopes and potential slide conditions; and

WHEREAS, the private property owner has acquired substitute land in Block 2, Goodspeed's Addition, equal in square footage and comparable in all features to the park property, and wishes to exchange that property for the Park Property; and

WHEREAS, the proposed land exchange meets the requirements of Ordinance 118477, also known as Initiative 42, providing land equivalent in size, value, location and usefulness in the vicinity, serving the same community and the same park purposes, and the proposed land exchange eliminates a non-park use of park property; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. The City Council finds that an exchange of certain park property in the West Duwamish Greenbelt for comparable property is necessary because there is no reasonable and practical alternative for access to the property at 4707 - 14<sup>th</sup> Avenue SW, and such an exchange is desirable because it eliminates an existing non-park use of park property, and such exchange will result in the City receiving replacement property equivalent in size, value, and usefulness, as required by Ordinance 118477.

Section 2. The Superintendent of Parks and Recreation ("Superintendent") or his designee is authorized, on behalf of the City of Seattle, to accept a deed from West Seattle Acquisition Co., L.L.C., for open space, park and recreation purposes, and record the same in the King County Records, to the following described property:

Lots 1 through 13, Block 2, Goodspeed's Addition to West Seattle, as recorded in Volume 3, page 59, Records of King County, Washington.

Section 3. Upon receipt of the deed from West Seattle Acquisition Co., L.L.C., the Superintendent or his designee is hereby authorized to execute and record, on behalf of the City of Seattle, a Quit Claim Deed to West Seattle Acquisition Co., L.L.C., for the following described property:



1        Lots 16 through 24 and Lots 31 through 34, Block 2, Goodspeed's Addition to West  
2        Seattle, as recorded in Volume 3, page 59, Records of King County, Washington.

3        Section 4. This ordinance shall take effect and be in force 30 days after its approval by  
4        the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
5        shall take effect as provided by Seattle Municipal Code Section 1.04.020.

6  
7        Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2014, and signed by me  
8        in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2014.

9  
10        \_\_\_\_\_  
11        President \_\_\_\_\_ of the City Council

12        Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

13  
14        \_\_\_\_\_  
15        Edward B. Murray, Mayor

16        Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

17  
18        \_\_\_\_\_  
19        Monica Martinez Simmons, City Clerk

20        (Seal)



## **FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Parks and Recreation	MaryLou Whiteford/684-7388	Forrest Longman/684-0331

### **Legislation Title:**

AN ORDINANCE relating to the Department of Parks and Recreation, concerning the West Duwamish Greenbelt, finding that an exchange of property between the City of Seattle and West Seattle Acquisition Co., L.L.C., owner of property adjacent to park property, is necessary, as required by Ordinance 118477, also known as Initiative 42; authorizing the Superintendent of Parks and Recreation to accept a deed from West Seattle Acquisition Co., L.L.C., for certain property meeting the criteria of Initiative 42; and authorizing the Superintendent to execute and record a Quit Claim Deed for certain City-owned West Duwamish Greenbelt property to West Seattle Acquisition Co., L.L.C., all to eliminate an existing private, non-park use of park property.

### **Summary of the Legislation:**

This legislation authorizes a land trade exchanging currently held greenbelt property that has an existing private, non-park use for comparable, unencumbered private property, contiguous to other park property in the West Duwamish Greenbelt.

### **Background:**

Greenbelt property acquired by the City, under authority of Ordinance 88399 (July 1959) as tax title property from King County, was transferred to the jurisdiction of the Parks Department in 2000 (Ordinance 119826) for open space, park and recreation purposes. While the property was held under the jurisdiction of the Building Department in 1980, that department issued a permit allowing a driveway across the City property to adjacent private property (4704 – 14<sup>th</sup> Avenue SW), which is now being redeveloped. The steep terrain and Environmentally Critical Area designation make development of abutting unopened street rights-of-way infeasible.

An equal land exchange is proposed that meets all requirements of Initiative 42 and results in the driveway being located on private property.

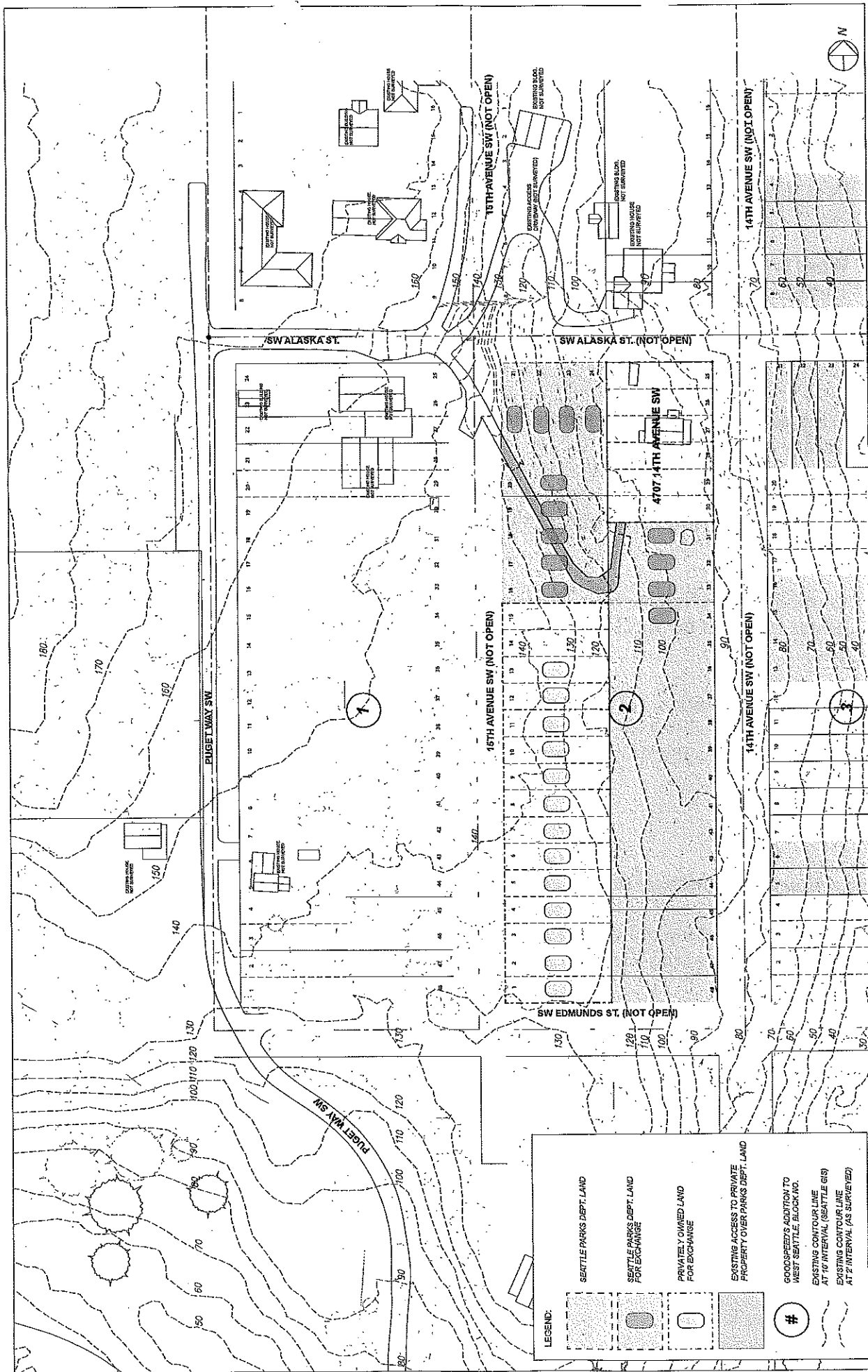
**X** This legislation does not have any financial implications.

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
No
- b) **What is the financial cost of not implementing the legislation?**  
There is none.
- c) **Does this legislation affect any departments besides the originating department?**  
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**  
There are none.
- e) **Is a public hearing required for this legislation?**  
Yes.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No.
- g) **Does this legislation affect a piece of property?**  
Yes, park land will be exchanged for equivalent property in the immediate area. See attached exhibits illustrating property to be exchanged.
- h) **Other Issues:**  
There are none.

**List attachments to the fiscal note below:**

Attachment A: Map of Land Exchange  
Attachment B: Aerial View of Land Exchange Property



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Lots 16 through 24 and Lots 31 through 34, Block 2, Goodspeed's Addition to West Seattle, as recorded in Volume 3, page 59, Records of King County, Washington, to be deeded by the City of Seattle to West Seattle Acquisition Co., L.L.C.

Lots 1 through 13, Block 2, Goodspeed's Addition to West Seattle, as recorded in Volume 3, page 59, Records of King County, Washington, to be deeded by West Seattle Acquisition Co., L.L.C., to the City of Seattle



**City of Seattle**  
**Edward B. Murray**  
**Mayor**

August 19, 2014

Honorable Tim Burgess  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed legislation concerning a land exchange in the West Duwamish Greenbelt. The legislation authorizes the Superintendent of Parks and Recreation to execute a quit claim deed for approximately three-quarters of an acre of park property and accept a deed for the same square-footage of comparable, adjacent private property. Because an existing driveway providing access to private property crosses the park property, the land exchange will have the effect of eliminating a significant private non-park use of park land.

Passage of the legislation includes a finding that the proposed land exchange meets the requirements of Ordinance 118477, also known as Initiative 42, establishing that the exchange is necessary because there is no reasonable and practical alternative and that the land received is equivalent or better in size, value, location and usefulness, in the same vicinity, serving the same community and the same park purposes. All conditions are met by the proposed replacement property.

The existing driveway was constructed prior to the City-owned land being placed under the jurisdiction of Seattle Parks and Recreation. The private property accessed by the driveway is now being redeveloped, and the owners seek to obtain ownership and control over the land the driveway crosses. Allowing the existing driveway to continue to serve the private property avoids the need to improve unopened rights-of-way in this Environmentally Critical Area, thereby preserving more of the desirable characteristics of the greenbelt including tree canopy, bird habitat, and wildlife corridor.

Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

Sincerely,

Edward B. Murray  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

